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Of Counsel

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United States Attorney

9 *Attorneys for the United States of America*

10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE DISTRICT OF NEVADA
SOUTHERN DIVISION

13 RELIASTAR LIFE INSURANCE CO.,)

14 Plaintiff,)

15 v.)

16 JACLYN R. HAFTER, INDIVIDUALLY)
17 AND AS TRUSTEE OF THE HAFTER)
18 FAMILY TRUST DATED JUNE 11, 2011,)
19 BRANDON PHILLIPS, AS TRUSTEE OF)
20 THE JACOB HAFTER TRUST DATED)
21 APRIL 17, 2018, THE UNITED STATES OF)
22 AMERICA, ACTING THROUGH THE)
INTERNAL REVENUE SERVICE, AND)
DOES 1-5)

21 Defendants.)
22

Case No. 2:18-cv-01166-APG-NJK

**STIPULATION AND ORDER
REGARDING DISTRIBUTIONS**

23 COMES NOW, Jaclyn Hafter, individually and as Trustee of the Hafter Family Trust,
24 dated June 12th, 2011; Brandon Phillips, as Trustee of the Jacob Hafter Trust, dated April 17,

1 2018; and United States of America, on behalf of the Internal Revenue Service, (the “Parties”)
2 by and through undersigned counsel, and hereby submit the following Stipulation and Order:

3 1. On February 11, 2019, Jaclyn Hafter, on behalf of her minor children, G.H., J.H.,
4 A.H., and S.H. filed her Request for Order Shortening Time; and Motion to Intervene as Parent
5 of Minor Children, and Motion for Release of Funds for the Benefit of Minor Children [ECF No.
6 31](the “Motion”).

7 2. By Order, dated February 12, 2019, the Court directed that all counsel confer
8 regarding the Motion as soon as reasonably possible to determine whether an agreement could be
9 reached among the Parties [ECF No. 32].

10 3. By Stipulation dated February 13, 2019, the Parties agreed to payment of the
11 annual property taxes on the Hafter family residence and one payment to Jaclyn Hafter in the
12 amount of \$7,192. The United States requested that Jaclyn Hafter provide the government with a
13 completed financial statement before it considered a longer term disbursement agreement [ECF
14 No. 36].

15 4. By Order dated February 14, 2019 [ECF No. 37], the Court approved the
16 Stipulation and the two disbursements and set a briefing schedule for the Motion with a hearing
17 scheduled for March 26, 2019.

18 5. After further discussions between the Parties, it is stipulated that in order to
19 prevent hardship to the Hafter family while this Interpleader Action is being adjudicated, the
20 following distributions may be made:

21 (a) The Clerk of the Court shall release from the interpled funds being held in Case
22 No. 2:18-cv-01166-APG-NJK the sum of \$19,104 to Jaclyn R. Hafter on April 1, 2019;
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1 (b) The Clerk of the Court shall release from the interpled funds being held in Case
2 No. 2:18-cv-01166-APG-NJK the sum of \$19,104 to Jaclyn R. Hafter on July 1, 2019;

3 (c) The Clerk of the Court shall release from the interpled funds being held in Case
4 No. 2:18-cv-01166-APG-NJK the sum of \$19,104 to Jaclyn R. Hafter on October 1,
5 2019;

6 (d) The United States is agreeing to these distributions based upon Jaclyn Hafter's
7 representations regarding her financial condition; and

8 (e) These distributions are intended for the benefit of the Hafter minor children and
9 will be deducted from any portion of the interpled funds to which they are determined to
10 be entitled by the Court.
11

12 DATED: March 14, 2019

/s/Henry C. Darmstadter
HENRY C. DARMSTADTER
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Of Counsel
NICHOLAS A. TRUTANICH
United States Attorney
Attorneys for the United States

19 DATED: March 14, 2019

/s/Cary Colt Payne
CARY COLT PAYNE
Cary Colt Payne, CHTD.
700 S. Eighth Street
Las Vegas, NV 89101
702-383-9010

23 Attorney for Defendant Brandon Phillips, as
24 trustee of the Jacob Hafter Trust dated April
25 17, 2018
26
27
28

1
2 DATED: March 14, 2019

/s/Alexander G. LeVeque
ALEXANDER G. LEVEQUE
STEVEN E. HOLLINGWORTH
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702-589-3502

7 Attorneys for defendant Jaclyn R. Hafter

8
9 **ORDER**


10 NOW THEREFORE, based upon the above stipulation between the Parties, this Court enters its
11 Orders and Decrees as follows:

12 **IT IS HEREBY ORDERED** that the Clerk of the Court shall release from the interpled
13 funds being held in Case No. 2:18-cv-01166-APG-NJK the sum of \$19,104 to Jaclyn R. Hafter on
14 April 1, 2019;

15 **IT IS HEREBY ORDERED** that the Clerk of the Court shall release from the interpled
16 funds being held in Case No. 2:18-cv-01166-APG-NJK the sum of \$19,104 to Jaclyn R. Hafter on
17 July 1, 2019; and

18 **IT IS HEREBY ORDERED** that the Clerk of the Court shall release from the interpled
19 funds being held in Case No. 2:18-cv-01166-APG-NJK the sum of \$19,104 to Jaclyn R. Hafter on
20 October 1, 2019.

21 IT IS SO ORDERED:

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23 
24 UNITED STATES DISTRICT COURT
25 JUDGE
26 Dated: March 18, 2019.